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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,302	08/31/2001	Paulus Wilhelmus Maria Ten Brink	NL000485	2157

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

ALBERTALLI, BRIAN LOUIS

ART UNIT PAPER NUMBER

2655

DATE MAILED: 07/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/944,302

Applicant(s)TEN BRINK, PAULUS
WILHELMUS MARIA**Examiner**

Brian L Albertalli

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/31/01, 2/25/02</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the reference to "FIGURE 1" should be removed. Also, the abstract should be one paragraph. Correction is required. See MPEP § 608.01(b).

Drawings

2. The drawings are objected to because Figure 1 lacks verbal labels for its elements, and in Figure 2, step 62 is misspelled and should be corrected to --configure--. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claim 6 is objected to because of the following informalities: on line 6, "from from" should be --from--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, and 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Buchner (EP 0 911 808 A1).

5. In regard to claim 1, Buchner discloses a method for operating a multi-device consumer electronics system that is provided with a first device (Fig. 1, speech unit 2) having a first user interface including a voice control facility fed by a voice pickup means (microphone 1) and a second device (Fig. 2, network device 11) functionally interconnected with the first device. The method includes the following steps:

Interconnecting the first and second devices through a user control level interconnection (through bus 10);

Loading speech recognition data (vocabulary and grammars) relevant to a second user interface pertinent to the second device (network device 11) into the voice control facility of the first device (memory 7, vocabulary from network device 11 are stored in extended vocabulary 7b and grammars from network device 11 are stored in extended grammar section 7d, see column 5, lines 14-44 and column 11, lines 41-52);

Recognizing by the voice control facility (memory 7) of one or more voice commands pertaining to the second device (network device 11) through using the speech recognition data (vocabulary and grammars) and forwarding associated recognition information to the second device (network device 11); and

Operating the second device (network device 11) as governed by the associated recognition information (column 3, lines 33-40 and column 12, lines 43-56).

6. In regard to claim 2, Buchner discloses that the loading provide both user interface information (control-network-commands) and speech recognition information (vocabulary and grammars, see column 7, line 39 through column 8, line 5 and column 12, line 56 through column 13, line 7).

7. In regard to claim 4, Buchner discloses a multi-device consumer electronics system comprising:

Interconnecting means for interconnecting the first and second devices through a user control level interconnection (bus 10 is a IEEE 1394 bus system, see column 3, lines 16-33);

Loading means (link layer control unit 5 and I/F physical layer unit 6 in speech unit 2 and link layer control 17 and I/F physical layer 16 in network device 11) for loading speech recognition data (vocabulary and grammars) relevant to a second user interface pertinent to the second device (network device 11) from the second device (network device 11) into the voice control facility of the first device (memory 7, vocabulary from network device 11 are stored in extended vocabulary 7b and grammars from network device 11 are stored in extended grammar section 7d, see column 5, lines 14-44);

Recognizing means for recognizing by the voice control facility (memory 7) of one or more voice commands pertaining to the second device (network device 11) through using the speech recognition data (vocabulary and grammars) and forwarding associated recognition information to the second device (network device 11); and

Operating means for operating the second device (network device 11) as governed by the associated recognition information (column 3, lines 33-40 and column 12, lines 43-56).

8. In regard to claim 5, Buchner discloses a master device (speech unit 2) comprising a first user interface including a voice control facility fed by a voice pickup means (microphone 1), interconnection means for interconnecting to a second device through a user control interconnection (bus 10), receive means for receiving speech recognition data relevant to a second user interface pertinent to the second device into its voice control facility (I/F physical layer 6 receives speech recognition data and sends it to extended vocabulary 7b and extended grammars 7d), and a recognizing means (memory 7) for recognizing by the voice control facility (memory 7) of one or more voice commands pertaining to the second device (network device 11) through using the speech recognition data (vocabulary and grammars) and forwarding associated recognition information to the second device (network device 11), and a forwarding means for forwarding associated recognition information to the second device (link layer control unit 5 and I/F physical layer 7).

9. In regard to claim 6, Buchner discloses a slave device (network device 11) comprising interconnection means for interconnecting to a first device through a user control interconnection (bus 10), load means for loading speech recognition data relevant to a second user interface pertinent to the second device, from the second

device into the voice control facility of the first device (vocabulary and grammars are sent to first device through link layer control 17 and I/F physical layer 16), receiving means for receiving recognition information pertaining to the second user interface from the voice control facility of the first device (I/F physical layer 16 and link layer control 17 receives recognition information), and operating means for operating the second device as governed by such received recognition information (software for device control 15).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Buchner, in view of HAVi Organization (*HAVi, the A/V digital network revolution*).

Buchner discloses a first device and a second device are connected through an IEEE 1394 bus system and the loading between the devices is sent according to the IEEE 1394 standard (column 3, lines 16-40).

Buchner does not disclose that the loading is downloading in a HAVi context.

HAVi Organization discloses the HAVi context is a software architecture used in an IEEE 1394 network that can handle commands sent between devices, irrespective of the actual brands or their HAVi implementation (page 2, HAVi Principles of Operation section, lines 1-2 and page 3, lines 2-6).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Buchner so that the loading was downloading in a HAVi context, in order to provide an open, scaleable, platform independent, and language neutral context that would provide seamless interoperability between consumer devices, as taught by HAVi Organization (page 2, lines 1-2 and HAVi Principles of Operation section, lines 1-6).

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Besling et al. (U.S. Patent 6,757,655) discloses a method of speech recognition in which speech recognition servers are used to perform speech recognition for a number of clients. Jacobs et al. (U.S. Patent 5,956,683) discloses a system that extracts speech data in one device, and then sends the data to a second device for recognition. Sorsa (U.S. Patent 6,424,945) discloses a system that sends speech to a second device where recognition is performed in the second device. Bennet et al. (U.S. Patent 6,663,846) discloses a device that sends compressed acoustic information over the internet to a server, which decodes the acoustic information to text. White et al. (U.S. Patent 6,408,272) discloses a distributed speech recognition device, which, if a local device cannot recognize the speech, sends the speech information to a second device for recognition.

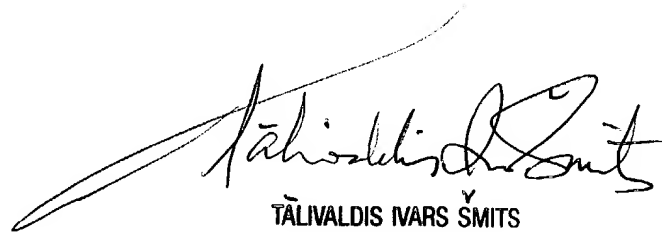
Art Unit: 2655

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L Albertalli whose telephone number is (703) 305-1817. The examiner can normally be reached on Monday - Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Smits can be reached on (703) 305-3011. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BLA 7/14/04



TĀLIVALDIS IVARS ŠMITS
PRIMARY EXAMINER